

One Hundred Eighth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the twentieth day of January, two thousand and four*

An Act

To modify and extend certain privatization requirements of the Communications
Satellite Act of 1962.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

**SECTION 1. PRIVATIZATION REQUIREMENTS MODIFIED AND
EXTENDED.**

Section 621(5) of the Communications Satellite Act of 1962
(47 U.S.C. 763) is amended—

(1) in subparagraph (A)(ii), by striking “June 30, 2004”
and inserting “June 30, 2005”; and

(2) by adding at the end the following new subparagraph:

“(F) Notwithstanding subparagraphs (A) and (B), a
successor entity may be deemed a national corporation
and may forgo an initial public offering and public securi-
ties listing and still achieve the purposes of this section
if—

“(i) the successor entity certifies to the Commission
that—

“(I) the successor entity has achieved substan-
tial dilution of the aggregate amount of signatory
or former signatory financial interest in such
entity;

“(II) any signatories and former signatories
that retain a financial interest in such successor
entity do not possess, together or individually,
effective control of such successor entity; and

“(III) no intergovernmental organization has
any ownership interest in a successor entity of
INTELSAT or more than a minimal ownership
interest in a successor entity of Inmarsat;

“(ii) the successor entity provides such financial
and other information to the Commission as the
Commission may require to verify such certification;
and

“(iii) the Commission determines, after notice and
comment, that the successor entity is in compliance
with such certification.

“(G) For purposes of subparagraph (F), the term
‘substantial dilution’ means that a majority of the financial

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interests in the successor entity is no longer held or controlled, directly or indirectly, by signatories or former signatories.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*